

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. W.A. DREW)
EDMONDSON, in his capacity as ATTORNEY)
GENERAL OF THE STATE OF OKLAHOMA)
and OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TROBERT, in his)
capacity as the TRUSTEE FOR NATURAL)
RESOURCES FOR THE STATE OF)
OKLAHOMA,)

Plaintiff,

vs.

TYSON FOODS, INC., INC., TYSON)
POULTRY, INC., TYSON CHICKEN, INC.,)
COBB- VANTRESS, INC., AVIAGEN, INC.,)
CAL-MAINE FOODS, INC., CAL-MAINE)
FARMS, INC., CARGILL, INC., CARGILL)
TURKEY PRODUCTION, LLC, GEORGE'S,)
INC., GEORGE'S FARMS, INC., PETERSON)
FARMS, INC., SIMMONS FOODS, INC., and)
WILLOW BROOK FOODS, INC.,)

Defendants.

Case No. 05-CV-329-GKF-SAJ

AMENDED SCHEDULING ORDER

Comes on for determination The Cargill Defendants' Motion for Modification of the Scheduling Order [Dkt. #1297], in which Defendants Tyson Foods, Inc., Tyson Poultry, Inc., Tyson Chicken, Inc., Cobb-Vantress, Inc., Peterson Farms, Inc., Simmons Foods, Inc., Cal-Maine Foods, Inc., and Cal-Maine Farms, Inc., have joined. Plaintiff filed response, proposing a more abbreviated extension of eight months to all current deadlines, which the

Court deems to be Plaintiff's Motion for Modification of Scheduling Order [Dkt. # 1322].¹

The Court has held periodic motion hearings to facilitate pretrial case management and is fully aware of the progress being made toward resolution of this case. Having considered the remaining discovery issues and the arguments and authority presented by the parties, the Court finds the Cargill Defendants' motion shall be granted in part and denied in part and Plaintiff's Motion shall be granted in part and denied in part. Accordingly, the Court finds the following deadlines should be extended and the Scheduling Order entered on March 9, 2007 shall be modified as follows:

Plaintiff's Expert Reports on all Issues Except Damages	April 1, 2008
Defendants' Expert Reports on all Issues Except Damages	July 1, 2008
Exchange of Final Fact Witness Lists	January 5, 2009
Plaintiff's Expert Reports on Damages	January 5, 2009
Defendants' Expert Reports on Damages	March 2, 2009
Discovery Cut-Off	March 2, 2009
Dispositive Motion deadline	April 2, 2009
Exchange of Exhibits and Deposition Designations	June 1, 2009
Proposed Jury Instructions	July 6, 2009
Motions in Limine	July 6, 2009
Pretrial Briefs	July 6, 2009
Trial	September, 2009

¹The Court notes several deadlines under the March 9, 2007 Scheduling Order have passed and were not included in the motion to extend.

The parties shall file motions requesting pretrial conference date and time, date for submitting pretrial order and trial date at the close of discovery, on or before March 2, 2009.

This Scheduling Order will govern the course of this case, and it may be altered only by an order of the Court after a showing of good cause.

IT IS THEREFORE ORDERED THAT The Cargill Defendants' Motion for Modification of the Scheduling Order [Dkt. #1297] is granted in part and denied in part as set forth herein and Plaintiff's Motion for Modification of Scheduling Order [Dkt. # 1322] is granted in part and denied in part as set forth herein.

DATED THIS 15th DAY OF November 2007.


Sam A. Joyner
United States Magistrate Judge